

An ANSWER TO THE Bishop of Exeter's CASE AGAINST Exeter - College.



THE Author of the Paper yesterday dispersed in the *Bishop of Exeter's* Name, supposed he had made it Unanswerable, by keeping it from the Knowledge of *Dr. Bury*, until it had done its Work: Were there no other Reason to make the Answer short, want of Time were sufficient.

The First Line is a fit Entrance for such a Structure, it saith, *The Bishop of Exeter is Ordinary AND Visitor of Exon. College*, whereas the Words of the Statute are *Visitor Ordinarius*. Yet upon this Misrepresentation did the Visitor build his Power of Ordinary, *Excommunicating the Rector* for keeping his possession, and the *College Chaplain* for Reading Prayers: Under which Sentence he still keepeth them Both, notwithstanding the Judgment of the Court of King's Bench, who upon full Hearing Commanded him to revoke it.

Two Lines after This, he saith the Visitor *desired of the Rector an Account of his Proceedings against Colmer by Letter*; whereas he sent Two Instruments under his Episcopal Seal, requiring the Rector and Seniors to Attend him at *London*: They were indeed Accompanied with a Letter to the Rector, who Answered with Respect due to a Visitor. Nor did he, or the Fellows at any time afterward, otherwise behave themselves toward him, than as by Council they were advised.

The Rector and Fellows did not *protest against Dr. Masters Commission* (as is suggested) but submitted to it, attending him in several Adjournments until he required Account of their Proceedings against *Colmer*.

When the Visitor came in Person, the Rector and Majority of Fellows with all the Reverence which the matter could allow, attended him with a Protestation under the College Seal, and departed. The Visitor hereupon Petitioned the *QUEEN and Council* to Command the Rector and Fellows to Submit to his Visitation; the Matter was pleaded by *Lawyers* of both kinds, and the Visitors Petition was dismissed: Then he Visited again, Deprived the Rector, &c. Complaint being made to the *QUEEN and Council*, an Order was granted, requiring him to Answer the Rectors and Fellows Petition, but he Contemned it, and Prosecuted the Rector in the Court of *Kings - Bench*.

The Visitors Power is to Punish no otherwise than, *Secundum Nostrarum Ordinationum & Statutorum exegentiam & tenorem*.

It is said that by *Answers to the Visitors Articles*, and the Evidence of others upon Oath, the Rector appears guilty of *Incontinence, Heresy, Sale of Offices, and great Neglect of the Discipline of the College*.

Every Fellow Answered the Articles severally, One of the Articles was, Whether any Member of the College were suspected of Incontinence? Not one of the Submitting Fellows Presented *Colmer*, though they knew him not only suspected, but Convicted. But *Colmer* in Revenge Presented the Rector. Oath was made against him by the Daughter of one whom the Rector had turned out of the Places which himself had given him in the College, because he would not Answer such Questions, as tended either to Clear or Convict *Colmer*. Some of the Bishops own Party, ashamed of so gross an abuse, addressed a Paper to the Visitor, Praying him not to Regard what any of that House shall Say or Swear against the Rector. The Visitor Examined the matter, and finding it Malicious suppressed it, which is a sufficient Justification of the Rector: For could he have been found guilty of Incontinence, he had fallen under one of the *Causes for which a Rector may Statutably be Deprived*; and there had been no need of Excommunication to make a pretended Contumacy a Crime sufficient.

His *Heresy*, is that Dangerous one of *Latitudinarianisme*.

He Sold the *Butlers and Cooks* Places, which the Statutes allow, and as his Predecessors had done before him; but with this difference, that whereas they put the Money in their Pockets, this Rector employ'd it in the College Buildings, adding double of his own Money to it.

Had he been guilty of *Neglecting the Discipline of the College*, he had not fallen under the Bishop's Anger, and the Consequence of it, *Deprivation, Excommunication, and Calumny*.

Mr. *Painter* was not Elected according to the Statutes (as is pretended) nor were half the Fellows then Resident warn'd to come to it, beside several other defects.

The Visitor dwelling at greater distance from the College, than could consist with a Power of *Judging Controversies*, the Statutes have taken care to put That Power in such hands as might do it at home.

The Statutes which that Paper pretendeth to recite, are falsely recited; but we leave them to be more truly represented by our Council. ✓ 1690?